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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,672	06/19/2000	James Hongxue Wang	11302-0601 (KC 15,993)	3961

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EXAMINER

REDDICK, MARIE L

ART UNIT	PAPER NUMBER
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1713

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action**

Application No.

09/595,672

Applicant(s)

WANG ET AL.

Examiner

Judy M. Reddick

Art Unit

1713

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

THE REPLY FILED 25 September 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
  - (b) ☐ they raise the issue of new matter (see Note below);
  - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
  - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☒ Applicant's reply has overcome the following rejection(s): See Continuation Sheet.
4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 12,13,15 and 16.

Claim(s) objected to: NONE.

Claim(s) rejected: 1-11, 14 and 17-24.

Claim(s) withdrawn from consideration: NONE.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.
10. ☒ Other: See Continuation Sheet

*Judy M. Reddick*  
Judy M. Reddick  
Primary Examiner  
Art Unit: 1713

Continuation of 2. NOTE: The newly proposed limitation "poly(ethylene oxide) resins having a molecular weight from about 100,000 g/mol to about 8,000,000 g/mol" for claims 1, 14, 17, 19, 21 and 23 engenders New issues of indefiniteness in that the type of molecular weight intended, "weight average" or "number average" not being readily ascertainable, the two being substantially different.

Continuation of 3. Applicant's reply has overcome the following rejection(s): The rejection under 35 USC 112, 1st paragraph as applied to claims 1-11 and 14(paper no. 13, 05.28.03, paragraph no. 2).

Continuation of 5. does NOT place the application in condition for allowance because: it is urged and maintained that the instantly claimed invention(claims 17-24) is obvious within the meaning of 35 USC 103 over Sumi et al or Miyamoto et al in combination with Ray Chaudhuri et al as per reasons clearly set forth in the Grounds of Rejection of record per paper no. 13, 05.28.03.

Continuation of 10. Other: Counsel is herein apprised that while the previous Office Action(paper no.13, 05.28.03, paragraph no. 6) indicated that claims 12, 13, 15 and 16 along with claims 1-11 and 14 are deemed allowable over the prior art of record, Item 6 under Disposition of Claims on the FORM PTO 326(cover sheet) mistakenly includes claims 12, 13, 15 and 16 under "Disposition of Claims". Item 5 should have recited claims 12, 13, 15 and 16 as being allowed and item 6 should have recited claims 1-11, 14 and 17-24 as being rejected. The Office Action, however, is clear with respect to the claims that were rejected and the claims that were allowed. In any event an apology is extended to applicants for any inconvenience that this may have caused. Further, Counsel is herein apprised that the status of claims 21 and 23 in the Amendment of paper no. 15, 09.25.03(Not Entered) is incorrect. It is believed that (Currently Amended instead of (Previously Presented) is the correct status.